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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Andrew C. Gallagher, et al

IMAGE PROCESSING SYSTEM  
AND METHOD THAT MAINTAINS  
BLACK LEVEL

Serial No. 09/981,176

Filed 17 October 2001

Group Art Unit: 2622

Examiner: Unknown

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Anita Marie Barker*  
Anita Marie Barker

*September 10, 2004*  
Date

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT FOR  
CONSIDERATION BY THE OFFICE UNDER 37 C.F.R. 1.97-1.99**

Enclosed herewith are patents and/or publications for consideration by the Patent and Trademark Office in regard to the invention claimed in the above-described application. In compliance with §1.56, such documents are listed in the enclosed Form PTO-1449.

Applicants request that the Patent and Trademark Office make of record the above-identified documents. Unless otherwise indicated, a full text copy of each document is attached. For documents not in English, an English translation or an equivalent English language patent or publication may be attached. Where a translation is not available, a concise explanation of the relevance of each document not in English is included either here or in the specification.

This Information Disclosure Statement (hereinafter "Statement") is submitted according to the following selected paragraph:

- I.  This Statement is being filed under §1.97(b) within three months of the filing date of the application (other than a CPA), or before the mailing of a first Office action on the merits or before the mailing of a first Office action after the filing of a request for continued examination.
- II.  This Statement is being filed under §1.97(c), with fee, **prior** to the mailing date of any of a final action, a notice of allowance or an action that otherwise closes prosecution in the application. Please charge the fee required by §1.17(p) to Eastman Kodak Company Deposit Order Account Number 05-0225. A duplicate copy of this Certification is enclosed.

III.  This Statement is being filed under §1.97(c), with a certification under, §1.97(e) **prior** to the mailing date of any of a final action, a notice of allowance or an action that otherwise closes prosecution in the application. The undersigned hereby states that (check one):

each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.

no item of information in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification under §1.97(e) after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

IV.  This Statement is being filed under §1.97(d), with fee and certification under §1.97(e), on or after the mailing date of either a final action, a notice of allowance (but prior to payment of the issue fee) or an action that otherwise closes prosecution in the application. Please charge the fee required by §1.17(p) to Eastman Kodak Company Deposit Order Account No. 05-0225. A duplicate copy of this Certification is enclosed. The undersigned hereby states that (check one):

each item of information in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.

no item of information in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification under §1.97(e) after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



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Enclosures

Attorney for Applicants  
Registration No. 30,700

<b>FORM PTO-1449</b> <b>US DEPARTMENT OF COMMERCE</b> <b>PATENT AND TRADEMARK OFFICE</b>	<i>Atty. Docket No.</i> <b>83407RLW</b> <i>Customer No. 01333</i>	<i>Serial No.</i> <b>09/981,176</b>				
<b>If AFTER the later date of the first Office Action or 3 months from filing, use only with Rule 97(E) Certificate or Fee</b>						
<b>LIST OF ART CITED BY APPLICANT</b> <i>(Use several sheets if necessary)</i>						
<i>Filing Date</i> <b>17 October 2001</b>		<i>Group</i> <b>2622</b>				
<b>U.S. PATENT DOCUMENTS</b>						
<b>Examiner Initial*</b>	<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE IF APPROPRIATE</b>
	5,081,485	01-14-1992	Terashita			
	5,134,573	07-28-1992	Goodwin			
	5,608,548 A	03-04-1997	Sobol			
	6,246,494 B1	06-12-2001	Tatsumi			
<b>FOREIGN PATENT DOCUMENTS</b>						
<b>Examiner Initial*</b>	<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>TRANSLATION YES   NO</b>
<b>OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>						
<b>EXAMINER</b>			<b>DATE CONSIDERED</b>			
<i>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</i>						